



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

# Rhode Island State Labor Relations Board

Building 73  
1511 Pontiac Avenue  
Cranston, Rhode Island 02920-4407

Website: [www.dlt.ri.gov/lrb](http://www.dlt.ri.gov/lrb)

## **OPEN MINUTES** **BOARD MEETING**

**TIME:** 9:00 a.m.  
**DATE:** Tuesday, January 13, 2009  
**PLACE:** 1511 Pontiac Ave., Building #73, 2nd Floor, Cranston, RI 02920

**BOARD MEMBERS IN ATTENDANCE:** Walter J. Lanni, Chairman  
Frank Montanaro  
Gerald Goldstein  
John R. Capobianco  
Ellen L. Jordan

**MEMBERS ABSENT:** Elizabeth Dolan

**OTHERS PRESENT:** Robyn H. Golden, Administrator  
Lisa L. Ribezzo, Labor Board Case Agent

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Chairman Lanni called the meeting to order in Open Session at 9:25 a.m.

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All Board Members present reviewed the Open Minutes of the November 18, 2008 Board Meeting. A Motion was made by Frank Montanaro and seconded by John Capobianco to accept the Open Minutes as written, and it was unanimously

**VOTED:** by all Board Members present to accept the minutes as written.

All Board Members present reviewed the Open Minutes of the December 2, 2008 Board Meeting. A Motion was made by John Capobianco and seconded by Gerald Goldstein to accept the Open Minutes as written, and it was unanimously

**VOTED:** by all Board Members present to accept the minutes as written.

The meeting continued in open session:

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**DRAFTED DECISION AND ORDERS:**

1. Case No. ULP- 5833  
State of RI – Department of Elderly Affairs & RI Council 94,  
AFSCME, AFL-CIO

A Motion was made by Ellen Jordan and seconded by John Capobianco to table this matter until the next monthly Board Meeting. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

2. Case No. ULP- 5848  
CCRI & CCRI ESPA/NEA

This case was heard formally by Walter Lanni, John Capobianco, Joseph Mulvey, Gerald Goldstein, and Ellen Jordan. Frank Montanaro and Elizabeth Dolan reviewed the transcript and briefs, as well as the evidence submitted therein.

After review of the drafted decision, a Motion was made by John Capobianco and seconded by Gerald Goldstein to sign the Decision and Order, as written. After discussion, all Board Members present voted in favor of the Motion and did sign the Decision and Order, as written. Staff will contact Elizabeth Dolan to ascertain her vote in this matter.

Staff contacted Elizabeth Dolan for her vote in this matter. Ms. Dolan voted in favor of the Motion and signed the Decision and Order as written. Motion passed.

**ORDER:** The Employer is hereby ordered to release the requested time sheets and may do so in a redacted form, by eliminating the employee's name and social security number, if it so chooses. The record must be provided to the Union within thirty (30) days from the date of this order.

3. Case No. ULP- 5867  
Middletown School Committee & CCRI PSA/NEARI/NEA

This case was heard formally by Walter Lanni, John Capobianco, Gerald Goldstein, and Ellen Jordan. Frank Montanaro and Elizabeth Dolan reviewed the transcript and briefs, as well as the evidence submitted therein.

After review of the drafted decision, a Motion was made by Ellen Jordan and seconded by Frank Montanaro to sign the Decision and Order, as written. After discussion, all Board Members present voted in favor of the Motion and did sign the Decision and Order, as written. Staff will contact Elizabeth Dolan to ascertain her vote in this matter.



Staff contacted Elizabeth Dolan for her vote in this matter. Ms. Dolan voted in favor of the Motion and signed the Decision and Order as written. Motion passed.

**ORDER:** The Unfair Labor Practice Charge and Complaint in this matter are hereby dismissed.

4. Case No. EE- 1679  
Middletown School Committee & NEARI

A Motion was made by Ellen Jordan and seconded by John Capobianco to table this matter until the next monthly Board Meeting. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

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Frank Montanaro made a Motion for the Board to go into Closed Session for the purpose of reviewing the Unfair Labor Practice Charges and the Minutes to be closed, pursuant to 42-46-5(a)(2)(4) of the Open Meetings Law. It was seconded by John Capobianco and it was unanimously

**VOTED:** for the meeting to go into closed session and to close the minutes.

The meeting and minutes were closed at 10:05 a.m.

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The meeting resumed in open session at 10:10 a.m. for the purposes of reading into the Minutes the determinations made by the Board in Closed Session.

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**UNFAIR LABOR PRACTICE CASES:**

1. Case No. ULP- 5936  
Burrillville School Committee & Burrillville Teachers' Association /NEARI

**DETERMINATION:** issue a Complaint and proceed to formal hearing.

A Motion was made by Ellen Jordan and seconded by John Capobianco to correct the Unfair Labor Practice Case Number listed on the Agenda as ULP-5837 to ULP-5937. After discussion, all Board Members present voted in favor of the Motion. Motion passed.

2. Case No. ULP- 5937  
Town of Burrillville & RI Council 94, AFSCME, AFL-CIO

**DETERMINATION:** issue a Complaint and proceed to formal hearing.

3. Case No. ULP- 5938  
RI Resource Recovery Corporation & International Union of Operating Engineers, Local 57

**DETERMINATION:** issue a Complaint and proceed to formal hearing.

4. Case No. ULP- 5939  
Warwick School Committee & Warwick Independent School Employees' Union (WISE)

**DETERMINATION:** issue a Complaint and proceed to formal hearing.

5. Case No. ULP- 5940  
Warwick School Committee & Warwick Independent School Employees' Union (WISE)

**DETERMINATION:** Motion to Dismiss.

6. Case No. ULP- 5941  
Warwick School Committee & Warwick Independent School Employees' Union (WISE)

**DETERMINATION:** issue a Complaint and proceed to formal hearing.

7. Case No. ULP- 5945  
Central Falls Detention Facility Corporation & Teamsters, Local 251

**DETERMINATION:** Motion to Dismiss.

8. Case No. ULP- 5946  
East Providence School Committee & East Providence Educational Association /  
NEARI

**DETERMINATION:** issue a Complaint and proceed to formal hearing.

9. Case No. ULP- 5947  
RI Board of Governors for Higher Education – URI & URI/AAUP Part-Time  
Faculty United (PTFU)

**DETERMINATION:** issue a Complaint and proceed to formal hearing.

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A Motion to adjourn was made by John Capobianco and seconded by Frank Montanaro,  
and it was unanimously,

**VOTED:** to adjourn the meeting at 10:15 a.m.